

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

**THOMAS CANTWELL**

*And*

**KERRI ANN BACHNER as  
Administratrix of THE ESTATE OF  
KEVIN BACHNER and In Her Own Right**

*And*

**ALISA M. GORCHOCK as Administratrix  
of THE ESTATE OF JOHN M.  
GORCHOCK and In Her Own Right**

*Plaintiff*  
v.

**FIRSTENERGY CORP., et al.**

*Defendants*

**Case No. 2:17-cv-01494-DSC**

**JURY TRIAL DEMANDED**

**PLAINTIFFS' MOTION TO COMPEL**

**PLAINTIFFS' MOTION TO STRIKE FIRSTENERGY DEFENDANTS' MOTION TO  
COMPEL THE DEPOSITION OF STEVEN R. STAUB**

Plaintiffs, by and through their attorneys, Saltz Mongeluzzi & Bendesky P.C. and Edgar Snyder and Associates, hereby move this Honorable Court to enter an Order compelling the deposition of Steven R. Staub.

1. Plaintiffs hereby move this court to compel FirstEnergy Corp. to produce Steven R. Staub for a deposition.

2. Mr. Staub was at all times relevant to this case, the treasurer, not just for FirstEnergy Corp. but also for all FirstEnergy entities. See Fifth Amended Energy Pool Agreement, page 7, attached as Exhibit A.

3. Mr. Staub is a critical fact witness to the issues of control and distribution of funds, payment of fines, accounting and other financial issues that touch upon FirstEnergy Corp.'s involvement at the Bruce Mansfield Plant and with FirstEnergy Generation.

4. Counsel for FirstEnergy Corp. would only agree to produce Mr. Staub for 1. Two hours and 2. If Plaintiff agreed to not seek the depositions of other FirstEnergy Corp. executives. *See Email*, attached as Exhibit B.

5. Plaintiffs are entitled to take Mr. Staub's deposition consistent with the limitations set forth in the Federal Rules of Civil Procedure, not subject to arbitrary time limits set by Defendant.

6. Moreover, FirstEnergy Corp. is not entitled to attempt to handicap Plaintiff's ability to take other depositions in order to conduct discovery that is entirely permissible under the rules.

7. If Mr. Staub is not deposed, Plaintiffs will be unfairly prejudiced in their ability to prosecute their cases.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order compelling the deposition of Steven R. Staub.

Respectfully submitted,

SALTZ, MONGELUZZI & BENDESKY, P.C.

BY: /s/ Elizabeth A. Bailey

ROBERT J. MONGELUZZI  
DAVID L. KWASS  
ELIZABETH A. BAILEY

Date: February 28, 2022

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above document was served electronically upon all parties of record.

BY: /s/ Elizabeth A. Bailey  
ELIZABETH A. BAILEY

Dated: February 28, 2022